

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

JUSTIN SILVERMAN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:16-cv-3686-RMG
)	
NATIONAL BOARD OF MEDICAL EXAMINERS,)	
)	
Defendant.)	
)	

NBME’S RESPONSE TO LOCAL RULE 26.01 DSC INTERROGATORIES

Pursuant to Local Rule 26.01 DSC, defendant National Board of Medical Examiners (“NBME”), by and through its attorneys, provides the following information:

(A) State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of that interest.

RESPONSE: None.

(B) As to each claim, state whether it should be tried jury or nonjury and why.

RESPONSE: Neither party has demanded a jury trial.

(C) State whether the party submitting these responses is a publicly-owned company and separately identify (1) any parent corporation and any publicly-held corporation owning ten percent (10%) or more of the party’s stock; (2) each publicly-owned company of which it is a parent; and (3) each publicly-owned company in which the party owns ten percent (10%) or more of the outstanding shares.

RESPONSE: NBME is a private non-profit corporation. It has no parent company or subsidiaries, has not issued stock, and does not own more than 10% of the outstanding shares in any publicly-owned company.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

RESPONSE: NBME challenges the appropriateness of this division on the grounds that this Court does not have personal jurisdiction over NBME. The grounds for this argument are set forth in NBME's motion to dismiss for lack of personal jurisdiction, filed contemporaneously herewith.

(E) Is this action related in whole or in part to any other matter filed in this district, whether civil or criminal? If so, provide (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases that *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the clerk of court based on a determination of whether the cases arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

RESPONSE: NBME is not aware of any related cases.

(F) If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

RESPONSE: NBME is not improperly identified.

(G) If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of their liability.

RESPONSE: NBME does not so contend.

Dated: December 8, 2016

Respectfully submitted,

/s/ SUE ERWIN HARPER

Sue Erwin Harper

Fed. ID # 737

Nelson Mullins Riley & Scarborough LLP

Liberty Center, Suite 600

151 Meeting Street

Charleston, SC 29401

Tel: 843.534.5200

Fax: 843.534.8700

corky.harper@nelsonmullins.com

Counsel for Defendant NBME